

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 262

Introduced by Rogert, 16.

Read first time January 14, 2009

Committee: General Affairs

A BILL

1 FOR AN ACT relating to alcoholic liquor sales; to amend sections
2 9-647 and 53-179, Reissue Revised Statutes of Nebraska;
3 to change provisions relating to time for sales of
4 alcoholic liquor and conduct of lotteries under the
5 Nebraska County and City Lottery Act; to harmonize
6 provisions; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 9-647, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 9-647 No lottery shall be conducted between the hours of
4 ~~±~~ 2 a.m. and 6 a.m.

5 Sec. 2. Section 53-179, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 53-179 (1) No alcoholic liquor, including beer, shall
8 be sold at retail or dispensed on any day between the hours of
9 ~~±~~ 2 a.m. and 6 a.m. The local governing body of any city or
10 village with respect to area inside the corporate limits of such
11 city or village, or the county board with respect to area outside
12 the corporate limits of any city or village, may by ordinance or
13 resolution require closing prior to ~~±~~ 2 a.m. on any day.

14 (2) Except as provided for and allowed by ordinance of a
15 local governing body applicable to area inside the corporate limits
16 of a city or village or by resolution of a county board applicable
17 to area inside such county and outside the corporate limits of any
18 city or village, no alcoholic liquor, including beer, shall be sold
19 at retail or dispensed between the hours of 6 a.m. Sunday and 1
20 a.m. Monday. No ordinance or resolution allowed by this subsection
21 shall permit alcoholic liquor, other than beer and wine, to be
22 sold at retail or dispensed between the hours of 6 a.m. Sunday
23 and 12 noon Sunday. This subsection shall not apply after 12 noon
24 on Sunday to a licensee which is a nonprofit corporation and the
25 holder of a Class C license or a Class I license.

1 (3) It shall be unlawful on property licensed to sell
2 alcoholic liquor at retail to allow alcoholic liquor in open
3 containers to remain or be in possession or control of any person
4 for purposes of consumption between the hours of ~~1:15~~ 2:15 a.m. and
5 6 a.m. on any day. When any city or village provides by ordinance
6 or any county provides by resolution for an earlier closing hour,
7 the provisions of this subsection shall become effective fifteen
8 minutes after such closing hour instead of ~~1:15~~ 2:15 a.m.

9 (4) Nothing in this section shall prohibit licensed
10 premises from being open for other business on days and hours
11 during which the sale or dispensing of alcoholic liquor is
12 prohibited by this section.

13 Sec. 3. Original sections 9-647 and 53-179, Reissue
14 Revised Statutes of Nebraska, are repealed.